

REMARKS

Applicants respectfully request reconsideration of this application as amended. Claims 15, 30, 36-37 39 and 41 have been amended. Claims 1-14, 17, 19, 22-24, 27-29, 32, 34, 38 and 40 have been cancelled without prejudice. New claims 42-47 have been added. Therefore, claims 15, 18, 20-21, 25-26, 30-31, 33, 35-37, 39 and 41-47 remain pending.

Specification Objections

The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code.

Paragraph [0031] of the Specification has been amended. Accordingly, Applicants respectfully request the withdrawal of the rejection of Specification.

Claims Objections

Claim 39 is objected because of improper dependency.

Claim 39 has been amended. Accordingly, Applicants respectfully request the withdrawal of the rejection of claim 39.

35 U.S.C. § 101 Rejection

Claims 36-37, 39 and 41 are rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter.

Claims 36-37, 39 and 41 have been amended. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 36-37, 39 and 41.

35 U.S.C. § 103 Rejection

Claims 15-16, 20-21, 30-31, 35-37 and 41 are rejected under 35 U.S.C. §103(a) as being unpatentable over Viswanath, et al., U.S. Patent No. 7,206,827 (“*Viswanath*”) in view of Jung, et al., U.S. Patent No. 6,308,208 (“*Jung*”).

Claim 15, as amended, recites:

A multi-service monitoring system comprising:

computer server systems having a cluster of application servers communicatively coupled on a computer network to serve software applications over the computer network to a plurality of computer client systems, each of the application servers comprising server nodes, wherein each computer server system including an application server having:

an administration service to generate runtime management beans ("MBeans"), each runtime MBean associated with a server node and one or more resources associated with the server node, each runtime MBean collecting monitoring data for its one or more associated resources and reporting the monitoring data to a corresponding monitor MBean; and

a monitor service in communication with the administration service, the monitor service to generate monitor MBeans, each monitor MBean being directly mapped to a corresponding runtime MBean and indirectly mapped to a resource associated with the corresponding runtime MBean, and each monitor MBean having a resource identifier to identify its corresponding runtime MBean.

(emphasis added)

Viswanath discloses "one or more components of the administration framework from meta-information describing persistently stored configuration information."

(abstract). *Viswanath* further discloses "the meta-information may be accessed by generator mechanism to generate beans. *Beans may provide a bean representation of the configuration data of the backend persistent store.*" (*Viswanath*, col. 10, ln. 31-35; emphasis added). *Viswanath* further discloses "*generate a bean for each corresponding element in meta-information.* Bean may represent every element in the meta-information file." (*Viswanath*, col. 10, ln. 51-54; emphasis added).

Viswanath merely mentions "*beans*" and "*bean representation*", but it does not teach or reasonably suggest employing two types of MBeans, such as runtime MBeans and monitor MBeans to perform resource monitoring as recited by claim 15. Actually, the Examiner acknowledges that *Viswanath* does not explicitly disclose "each runtime MBean collecting monitoring data for its one or more resources and reporting the

monitoring data to a corresponding monitor MBean . . . each monitor [M]Bean having a resource identifier to identify its corresponding runtime MBean” (*Office Action*, mailed 10/27/09, pg. 5). However, the Examiner relies on *Jung* for the alleged support, which does mention or employ any beans.

Jung relates to an “observer-observed relationship” in which a cell refers to a database server (such as a computer system) that is construed as a “master resource” to “observe” other cells or it may be observed by another cell” (*Jung*, col. 2, ln. 5-25; emphasis added). Stated differently, using *Jung*’s technique, a master computer system observes servant computers system and, in some cases, even the master computer system is observed by another computer system. Note that *Jung* does not mention or employ any type of beans and, consequently, does not teach or reasonably suggest “each runtime MBean collecting monitoring data for its one or more associated resources and reporting the monitoring data to a corresponding monitor MBean” and further “each monitor MBean being directly mapped to a corresponding runtime MBean and indirectly mapped to a resource associated with the corresponding runtime MBean, and each monitor MBean having a resource identifier to identify its corresponding runtime MBean” as recited by claim 15 (emphasis added).

Viswanath merely refers to beans, but does not teach or reasonably suggest employing MBeans (specifically, runtime and monitor MBeans) for monitoring tasks as recited by claim 15, while *Jung* neither employs nor anticipates employing any type of beans. Hence, *Jung* does not make up for the deficiencies of *Viswanath*. Accordingly, Applicants respectfully submit claim 15 and its dependent claims are allowable over the cited references. Applicants respectfully request the withdrawal of the rejection of claim 15 and its dependent claims.

Claims 30 and 36 contain limitations similar to those of claim 15. Accordingly, for at least the same reasons as set forth above with reference to claim 15, Applicants respectfully request the withdrawal of the rejection of claims 30 and 36.

Claims 18, 33 and 39 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Viswanath* and *Jung* as applied to claim 15, 30 and 36, respectively above, in view of Ismael, et al., U.S. Patent No. 6,061,721 ("*Ismael*").

Claims 18, 33 and 39 depend from one of claims 15, 30 and 36 and thus include all the limitations of the corresponding base claim. Accordingly, for at least the reasons set forth above with respect to claim 15 and *Viswanath* and *Jung*, Applicants respectfully request the withdrawal of the rejection of claims 18, 33 and 39.

Claims 25-26 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Viswanath* and *Jung* as applied to claim 15 above, in view of Haller, et al., U.S. Patent Publication No. 2004/0244001 ("*Haller*").

Claims 25-26 depend from claim 15 and thus include all the limitations of its corresponding base claim. Accordingly, for at least the reasons set forth above with respect to claim 15 and *Viswanath* and *Jung*, Applicants respectfully request the withdrawal of the rejection of claims 25-26.

Conclusion

In light of the foregoing, reconsideration and allowance of the claims is hereby earnestly requested.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Request for an Extension of Time

Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

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